OFFICE OF THE MONITOR

NUNEZ, ET AL. V. CITY OF NEW YORK, ET AL.

Steve J. Martin Monitor

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December 14, 2018

VIA ECF

The Honorable Laura T. Swain United States District Court Southern District of New York 500 Pearl Street New York, NY 10006

Re: Nunez, et al. v. City of New York, et al., 11-cv-5845 (LTS) (JCF)

Dear Judge Swain,

We write to respectfully recommend the Court endorse the attached proposed Order to provide the Monitoring Team with appropriate access to information for the 16-and 17-year-old youth detained at Horizon Juvenile Detention Center, which is jointly operated by the Department of Correction and the Administration of Children's Services. The proposed order is intended to ensure the Monitoring Team has access to relevant and necessary information in order for us to perform our responsibilities under the Consent Judgment, in particular to assess the City's efforts to achieve compliance with the provisions regarding 16- and 17-year-old youth.

We have shared this proposed Order with the Parties and they consent to the Monitor's recommendation. Please do not hesitate to reach out if you have any questions or require any further information.

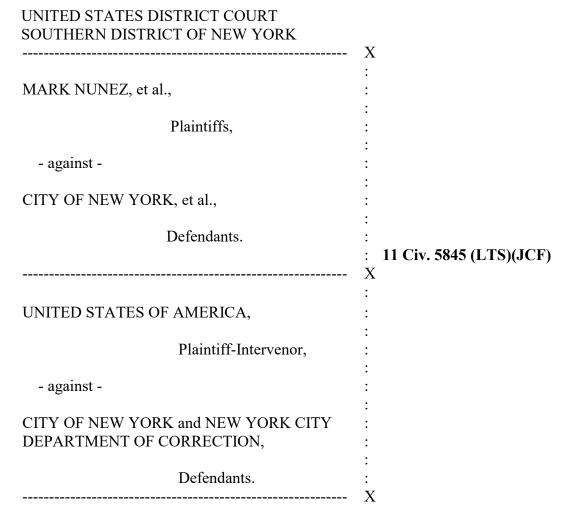
Sincerely,

s/ Steve J. Martin

s/ Anna E. Friedberg

Steve J. Martin, Monitor

Anna E. Friedberg, Deputy Monitor



[Proposed] Order Regarding Monitor's Access to Documents Related to 16 & 17-Year-Old Youth

Steve J. Martin is the Court appointed Monitor in the matter *Nunez et al. v. City of New York et al.*, 11-cv-5845 (LTS)(JCF) (S.D.N.Y.). The description of the Monitor's responsibilities is outlined in the Consent Judgment entered in the above captioned case (dkt. 249). On or before October 1, 2018, the City of New York moved the 16 and 17-year-old youth off Rikers Island to Horizon Juvenile Detention Center, which is jointly operated by the Department of Correction and the Administration of Children's Services.

In order for the Monitor to perform his responsibilities under the Consent Judgment, in particular to assess the City's efforts to achieve compliance with the provisions regarding 16 and 17-year-old youth, the Monitor shall have access to any records related to 16- and 17- year-old youth detained at Horizon, including but not limited to records protected from disclosure by New

York Social Services Law §372, 9 NYCRR § 7310.11 and 180-3.7. As required by § XX. (Monitoring), ¶ 7 of the Consent Judgment, the Monitor shall enter in to an appropriate confidentiality agreement. The Monitor's staff shall be subject to the same access rights and confidentiality limitations as the Monitor.

So Ordered:	
The Honorable Laura T. Swain	
Date:	